

# **EXHIBIT G**

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March 19, 2013

**Via e-mail and U.S. Mail**

Donna B. Jacobs  
William Gage  
Butler Snow  
PO Box 6010  
Ridgeland, MS 39158

**RE: TVM Litigation**  
Our file: 430-2000

Dear Donna and William:

I am writing to follow up regarding several unresolved discovery disputes about which we spoke last week. I am hoping that we can get these disputes worked out before Dan Lamont's deposition on April 3rd.

First, as William and I discussed, although you have produced a spreadsheet of marketing materials with dates on which the marketing or promotional material was approved by Ethicon for use, you have not provided any "in-use" dates for this material. As you can imagine, our hands are somewhat tied without this information. We find it very difficult to believe that Ethicon does not have the ability to track when its patient brochures and other promotional material were being provided to its customers, especially because you have already done so in the NJ litigation for the POP brochures from 2005-2011 as well as marketing materials between 2009 and 2011. Please provide us with this information as soon as possible. If you claim you cannot do so, we plan to ask the court to allow a designated IT expert to search Ethicon's system for this data.

We have also found that many of the produced versions of the "copy approved" versions designated on the charts you provided us are black and white versions of documents that were clearly

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distributed in color. Please provide bates ranges for color exemplars of any of your marketing materials that were originally produced and distributed in color. Additionally, your charts do not appear to contain any copy-approved marketing materials dated after 2011. Please update your charts to include materials from 2012.

Second, our discovery requests and 30(b)(6) notices have asked for Ethicon's SOPs on several topics. It is our belief that Ethicon has the duty to produce all relevant SOPs pursuant to Rule 26. Although Ethicon has produced many SOPs, the SOPs have been produced without the entire revision history, without the dates of the revisions of the policies and, oftentimes, without the in-use date of the policy. Susan Lin's testimony makes it clear that this information is available in ECCS, but was intentionally not produced. Please produce the relevant SOPs with the complete revision history, including dates of all revisions, so that we know when the relevant policies were in place. It may be that once we receive this information, we will request additional copies of the actual policies during relevant times, but we can wait to decide that until we get the full revision history of the policies, the dates of such revisions, and the in-use dates of the policies. Please also provide us with the relevant indexes, as Susan Lin indicated that indexes exist.

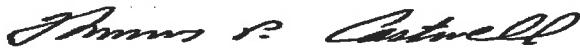
Third, as mentioned at Susan Lin's deposition, Ethicon has not designated a final TTV "classic" IFU in use between product launch in 1998 and 01-16-2001. Also, Ethicon is claiming that the IFU listed as in-use beginning 01-16-2001 has an end date of: "unavailable". If this is true, please explain why. Also, this and later versions of the IFU which you claim are final have missing text and do not appear to be final copies:

IFU in use from 01-16-01 to "unavailable" (eth.mesh.02340370)  
IFU in use from 04-07-2006 to 10-07-2008 (eth.mesh.02340250)  
IFU in use from 11-29-2010 to present day (eth.mesh.02340402)

All of these issues with the IFUs were previously described in my letter of March 4<sup>th</sup> and have not been addressed. If these IFU's with the missing text are indeed the final versions, simply confirm that they are. If these are not the correct final versions of the IFU, please provide the Bates ranges for the correct versions as soon as possible.

Best regards,

Very truly yours,



Thomas P. Cartmell

TPC/mg  
cc: Bryan Aylstock  
Renee Baggett